

## **AMENDMENTS TO THE CLAIMS**

Please amend claims 13, 14, 16, 17, 19, 20, 23, 26-28, 55-90, 97-102, 106, and 107. Please add new claims 127 and 128. Claims 1-12, 15, 18, 21, 22, 24, 25, 29, 30, 32, 33, 38, 39, 41, 44-53, 91-96, and 103-105 are canceled.

1 -12. (Canceled)

13. (Currently Amended) A frozen carbonated beverage dispenser system including a reduced calorie beverage for dispensing from a mechanical mixing chamber comprising:

~~a mechanical beverage dispenser including therein for dispensing therefrom a beverage having a given freezing point comprising:~~

(a) a reduced calorie beverage syrup containing a mixture of a high-potency non-caloric sweetener and a low caloric sugar, the low caloric sugar acting as a freezing point depressant;

(b) water; and

(c) carbon dioxide;

wherein the given freezing point is determined from a reference molal concentration of full-caloric sugar in a standard frozen carbonated beverage for achieving said given freezing point, and the amount of low-caloric sugar in the mixture is selected to achieve substantially the same molal concentration thereof as the reference molal concentration; and

wherein the beverage is dispensable from a mechanical mixing chamber as a slush.

14. (Currently Amended) The ~~beverage~~ system ~~of according to claim 13~~ 127, wherein the amount is selected to achieve said given freezing point.

15. (Canceled)

16. (Currently Amended) The ~~beverage~~ system according to claim ~~13~~ 127, wherein the low caloric sugar comprises a Sugar MNS chosen from at least one of erythritol, isomalt, maltitol, lactitol, and fructo-oligosaccharide sweetener.

17. (Currently Amended) The ~~beverage~~ system according to claim 14, wherein the low caloric sugar comprises a Sugar MNS chosen from at least one of erythritol, isomalt, maltitol, lactitol, and fructo-oligosaccharide sweetener.

18. (Canceled)

19. (Currently Amended) The ~~beverage~~ system according to claim 16, wherein the Sugar MNS is erythritol.

20. (Currently Amended) The ~~beverage~~ system according to claim 16, wherein the beverage syrup contains a high-potency non-caloric sweetener selected from at least one of aspartame, saccharin, acesulfame-K, cyclamate, and sucralose.

21 - 22. (Canceled)

23. (Currently Amended) A frozen non-carbonated beverage dispenser system including a reduced calorie beverage for dispensing from a mechanical mixing chamber comprising:

~~a mechanical beverage dispenser including therein for dispensing therefrom a beverage having a given freezing point comprising:~~

(a) a beverage syrup containing a mixture of high-potency non-caloric sweetener and a low caloric sugar, said low-caloric sugar acting as a freezing point depressant; and

(b) water;

wherein the amount of low-caloric sugar is selected to achieve a given freezing point,

wherein the given freezing point is determined from a reference molal concentration of full-caloric sugar in a standard frozen carbonated beverage for achieving said given freezing point, and the amount of low-caloric sugar in the mixture is selected to achieve substantially the same molal concentration thereof as the reference molal concentration and

wherein the beverage is dispensable from a mechanical mixing chamber as a slush.

24-25. (Canceled)

26. (Currently Amended) The ~~beverage~~ system according to claim 23 ~~128~~, wherein the low caloric sugar comprises a Sugar MNS chosen from at least one of erythritol, isomalt, maltitol, lactitol, and fructo-oligosaccharide sweetener.

27. (Currently Amended) The ~~beverage~~ system according to claim 26, wherein the Sugar MNS is erythritol.

28. (Currently Amended) The ~~beverage~~ system according to claim 26, further comprising a high-potency non-caloric sweetener chosen from at least one of aspartame, saccharin, acesulfame-K, cyclamate, or sucralose.

29-30. (Canceled)

31. (Previously Presented) A method of making a reduced calorie frozen carbonated dispenser beverage having a given freezing point comprising dispensing from a mechanical beverage dispenser having a mechanical mixing chamber a combination comprising:

a reduced calorie beverage syrup containing a mixture of a high-potency non-caloric sweetener and a low caloric sugar, said low caloric sugar acting as a freezing point depressant;

water; and

carbon dioxide,

wherein the amount of low caloric sugar is selected to achieve said given freezing point, and

wherein the given freezing point is determined from a reference molal concentration of full-caloric sugar in a standard frozen carbonated beverage for achieving said freezing point, and the amount of low caloric sugar in the mixture is selected to achieve substantially the same molal concentration thereof as the reference molal concentration.

32-33. (Canceled)

34. (Previously Presented) The method according to claim 31, wherein the low caloric sugar comprises a Sugar MNS chosen from at least one of erythritol, isomalt, maltitol, lactitol, and fructo-oligosaccharide sweetener.

35. (Previously Presented) The method according to claim 34, wherein the Sugar MNS is erythritol.

36. (Previously Presented) The method according to claim 34, wherein the beverage syrup contains a high-potency non-caloric sweetener chosen from at least one of aspartame, saccharin, acesulfame-K, cyclamate, and sucralose.

37. (Previously Presented) A method of controlling the freezing point depressant characteristics of a beverage syrup for a frozen dispenser beverage dispensable from a mechanical mixing chamber and to be mixed with a diluent comprising the steps of:

(a) blending a high-potency non-caloric sweetener and a low-caloric sugar, said low-caloric sugar acting as a freezing point depressant for the finished beverage formulation;

(b) controlling the amount of low-caloric sugar to achieve a given freezing point of the finished beverage formulation; and

wherein the given freezing point is determined from a reference molal concentration of full-caloric sugar in a standard frozen carbonated beverage for achieving said given freezing point, and the amount of low caloric sugar in the mixture is selected to achieve substantially the same molal concentration thereof as the reference molal concentration and

wherein the low caloric sugar depresses the freezing point of the finished beverage formulation rendering it from said mechanical mixing chamber.

38-39. (Canceled)

40. (Previously Presented) The method of claim 37, wherein the low caloric sugar comprises a Sugar MNS chosen from at least one of erythritol, isomalt, maltitol, lactitol, and fructo-oligosaccharide sweetener.

41. (Canceled)

42. (Previously Presented) The method of claim 37, wherein the low caloric sugar comprises a Sugar MNS chosen from at least one of erythritol, isomalt, maltitol, lactitol, and fructo-oligosaccharide sweetener.

43. (Previously Presented) The method of claim 40, wherein the beverage syrup contains a high-potency non-caloric sweetener chosen from at least one of aspartame, saccharin, acesulfame-K, cyclamate, and sucralose.

44-53. (Canceled)

54. (Previously Presented) A method of depressing the freezing point of a reduced calorie beverage syrup comprising:

preparing a reduced caloric beverage syrup by replacing up to one third of a high-potency non-caloric sweetener with a freezing point depressant chosen from at least one of propylene glycol, glycerol and sorbitol,

wherein the high-potency non-caloric sweetener includes sucralose.

55. (Currently Amended) The ~~beverage~~ system according to claim ~~43~~ 127, wherein the low caloric sugar is chosen from at least one of propylene glycol, glycerol, and sorbitol.

56. (Currently Amended) The ~~beverage~~ system according to claim 55, wherein the low caloric sugar is chosen from at least two of propylene glycol, glycerol, and sorbitol.

57. (Currently Amended) The ~~beverage~~ system according to claim 55, wherein the low caloric sugar includes propylene glycol, glycerol, and sorbitol.

58. (Currently Amended) The ~~beverage~~ system according to claim 55, wherein the beverage contains a high-potency non-caloric sweetener chosen from at least one of aspartame, saccharin, acesulfame-K, cyclamate, and sucralose.

59. (Currently Amended) The ~~beverage~~ system according to claim 58, wherein the high-potency non-caloric sweetener comprises sucralose.

60. (Currently Amended) The ~~beverage~~ system according to claim 56, wherein the beverage contains a high-potency non-caloric sweetener chosen from at least one of aspartame, saccharin, acesulfame-K, cyclamate, and sucralose.



61. (Currently Amended) The ~~beverage~~ system according to claim 60, wherein the high-potency non-caloric sweetener comprises sucralose.

62. (Currently Amended) The ~~beverage~~ system according to claim 57, wherein the beverage contains a high-potency non-caloric sweetener chosen from at least one of aspartame, saccharin, acesulfame-K, cyclamate, and sucralose.

63. (Currently Amended) The ~~beverage~~ system according to claim 62, wherein the high-potency non-caloric sweetener comprises sucralose.

64. (Currently Amended) The ~~beverage~~ system according to claim 23 128, wherein the low caloric sugar is chosen from at least one of propylene glycol, glycerol, and sorbitol.

65. (Currently Amended) The ~~beverage~~ system according to claim 64, wherein the low caloric sugar is chosen from at least two of propylene glycol, glycerol, and sorbitol.

66. (Currently Amended) The ~~beverage~~ system according to claim 64, wherein the low caloric sugar includes propylene glycol, glycerol, and sorbitol.

67. (Currently Amended) The ~~beverage~~ system according to claim 64, wherein the beverage contains a high-potency non-caloric sweetener chosen from at least one of aspartame, saccharin, acesulfame-K, cyclamate, and sucralose.

68. (Currently Amended) The ~~beverage~~ system according to claim 67, wherein the high-potency non-caloric sweetener comprises sucralose.

69. (Currently Amended) The ~~beverage~~ system according to claim 65, wherein the beverage contains a high-potency non-caloric sweetener chosen from at least one of aspartame, saccharin, acesulfame-K, cyclamate, and sucralose.

70. (Currently Amended) The ~~beverage~~ system according to claim 69, wherein the high-potency non-caloric sweetener comprises sucralose.

71. (Currently Amended) The ~~beverage~~ system according to claim 66, wherein the beverage contains a high-potency non-caloric sweetener chosen from at least one of aspartame, saccharin, acesulfame-K, cyclamate, and sucralose.

72. (Currently Amended) The ~~beverage~~ system according to claim 71, wherein the high-potency non-caloric sweetener comprises sucralose.

73. (Currently Amended) The method ~~beverage~~ according to claim 31, wherein the low caloric sugar is chosen from at least one of propylene glycol, glycerol, and sorbitol.

74. (Currently Amended) The method beverage according to claim 73, wherein the low caloric sugar is chosen from at least two of propylene glycol, glycerol, and sorbitol.

75. (Currently Amended) The method beverage according to claim 73, wherein the low caloric sugar includes propylene glycol, glycerol, and sorbitol.

76. (Currently Amended) The method beverage according to claim 73, wherein the beverage contains a high-potency non-caloric sweetener chosen from at least one of aspartame, saccharin, acesulfame-K, cyclamate, and sucralose.

77. (Currently Amended) The method beverage according to claim 76, wherein the high-potency non-caloric sweetener comprises sucralose.

78. (Currently Amended) The method beverage according to claim 74, wherein the beverage contains a high-potency non-caloric sweetener chosen from at least one of aspartame, saccharin, acesulfame-K, cyclamate, and sucralose.

79. (Currently Amended) The method beverage according to claim 78, wherein the high-potency non-caloric sweetener comprises sucralose.

80. (Currently Amended) The method beverage according to claim 75, wherein the beverage contains a high-potency non-caloric sweetener chosen from at least one of aspartame, saccharin, acesulfame-K, cyclamate, and sucralose.

81. (Currently Amended) The method beverage according to claim 80, wherein the high-potency non-caloric sweetener comprises sucralose.

82. (Currently Amended) The method beverage according to claim 37, wherein the low caloric sugar is chosen from at least one of propylene glycol, glycerol, and sorbitol.

83. (Currently Amended) The method beverage according to claim 82, wherein the low caloric sugar is chosen from at least two of propylene glycol, glycerol, and sorbitol.

84. (Currently Amended) The method beverage according to claim 82, wherein the low caloric sugar includes propylene glycol, glycerol, and sorbitol.

85. (Currently Amended) The method beverage according to claim 82, wherein the beverage contains a high-potency non-caloric sweetener chosen from at least one of aspartame, saccharin, acesulfame-K, cyclamate, and sucralose.

86. (Currently Amended) The method ~~beverage~~ according to claim 85, wherein the high-potency non-caloric sweetener comprises sucralose.

87. (Currently Amended) The method ~~beverage~~ according to claim 83, wherein the beverage contains a high-potency non-caloric sweetener chosen from at least one of aspartame, saccharin, acesulfame-K, cyclamate, and sucralose.

88. (Currently Amended) The method ~~beverage~~ according to claim 87, wherein the high-potency non-caloric sweetener comprises sucralose.

89. (Currently Amended) The method ~~beverage~~ according to claim 84, wherein the beverage contains a high-potency non-caloric sweetener chosen from at least one of aspartame, saccharin, acesulfame-K, cyclamate, and sucralose.

90. (Currently Amended) The method ~~beverage~~ according to claim 89, wherein the high-potency non-caloric sweetener comprises sucralose.

91-96. (Canceled)

97. (Currently Amended) The ~~beverage~~ system according to claim 13, wherein said beverage syrup further comprises tagatose.

98. (Currently Amended) The beverage system according to claim 19, wherein said beverage syrup further comprises tagatose.

99. (Currently Amended) The beverage system according to claim 23, wherein said beverage syrup further comprises tagatose.

100. (Currently Amended) The beverage system according to claim 27, wherein said beverage syrup further comprises tagatose.

101. (Currently Amended) The beverage method according to claim 35, wherein said beverage syrup further comprises tagatose.

102. (Currently Amended) The beverage method according to claim 37, wherein said beverage syrup further comprises tagatose.

103-105. (Canceled)

106. (Currently Amended) The beverage system according to claim 13, wherein said beverage syrup further comprises at least one mineral salt.

107. (Currently Amended) The beverage system according to claim 23, wherein said beverage syrup further comprises at least one mineral salt.

108. (Previously Presented) The method according to claim 31, wherein said beverage syrup further comprises at least one mineral salt.

109. (Previously Presented) The method according to claim 37, wherein said beverage syrup further comprises at least one mineral salt.

110. (Previously Presented) The method according to claim 54, wherein said beverage syrup further comprises at least one mineral salt.

111. (Previously Presented) The method according to claim 37, wherein the low caloric sugar is erythritol.

112. (Previously Presented) A reduce calorie frozen carbonated dispenser beverage having a given freezing point for dispensing from a mechanical mixing chamber comprising:

(a) a reduced calorie beverage syrup containing a mixture of a high-potency non-caloric sweetener and a low caloric sugar, the low caloric sugar depressing the freezing point of the mixture to create a frozen carbonated beverage dispensable from said mechanical mixing chamber;

(b) water; and

(d) carbon dioxide;

wherein the given freezing point is determined from a reference molal concentration of full-caloric sugar in a standard frozen carbonated beverage for

achieving said given freezing point, and the amount of low-caloric sugar in the mixture is selected to achieve substantially the same molal concentration thereof as the reference molal concentration.

113. (Previously Presented) The beverage according to claim 112, wherein the low caloric sugar comprises a Sugar MNS chosen from at least one of erythritol, isomalt, maltitol, lactitol, and fructo-oligosaccharide sweetener.

114. (Previously Presented) The beverage according to claim 114, wherein the Sugar MNS is erythritol.

115. (Previously Presented) The beverage according to claim 112, wherein the beverage syrup contains a high-potency non-caloric sweetener selected from at least one of aspartame, saccharin, acesulfame-K, cyclamate, and sucralose.

116. (Previously Presented) The beverage according to claim 112, wherein the low caloric sugar is chosen from at least one of propylene glycol, glycerol, and sorbitol.

117. (Previously Presented) The beverage according to claim 116, wherein the low caloric sugar is chosen from at least two of propylene glycol, glycerol, and sorbitol.

118. (Previously Presented) The beverage according to claim 116, wherein the low caloric sugar includes propylene glycol, glycerol, and sorbitol.



119. (Previously Presented) The beverage according to claim 118, wherein the beverage contains a high-potency non-caloric sweetener chosen from at least one of aspartame, saccharin, acesulfame-K, cyclamate, and sucralose.

120. (Previously Presented) The beverage according to claim 119, wherein the high-potency non-caloric sweetener comprises sucralose.

121. (Previously Presented) The beverage according to claim 117, wherein the beverage contains a high-potency non-caloric sweetener chosen from at least one of aspartame, saccharin, acesulfame-K, cyclamate, and sucralose.

122. (Previously Presented) The beverage according to claim 121, wherein the high-potency non-caloric sweetener comprises sucralose.

123. (Previously Presented) The beverage according to claim 118, wherein the beverage contains a high-potency non-caloric sweetener chosen from at least one of aspartame, saccharin, acesulfame-K, cyclamate, and sucralose.

124. (Previously Presented) The beverage according to claim 123, wherein the high-potency non-caloric sweetener comprises sucralose.

125. (Previously Presented) The beverage according to claim 112, wherein said beverage syrup further comprises tagatose.

126. (Previously Presented) The beverage according to claim 112, wherein said beverage syrup further comprises at least one mineral salt.

127. (New) The system according to claim 13, further comprising:  
a mechanical beverage dispenser including a mixing chamber for dispensing therefrom said reduced calorie beverage having a given freezing point.

128. (New) The system according to claim 23, further comprising:  
a mechanical beverage dispenser including a mixing chamber for dispensing therefrom said reduced calorie beverage having the given freezing point.